

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
TZVEE WOOD and ANDREA MALESTER,

Plaintiffs,

-against-

MUTUAL REDEVELOPMENT HOUSES, INC., et al.,
Defendants.

ANALISA TORRES, District Judge:

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DATE FILED: 3/15/2021

14 Civ. 7535 (AT) (DCF)

ORDER

The Court has reviewed the parties' submissions at ECF Nos. 307–08.

Fact discovery closed on September 27, 2019. ECF No. 177 at 7. Plaintiffs failed to obtain affidavits from the two witnesses identified in ECF No. 307 before this deadline, and have not offered any justification for this failure. Plaintiffs have not provided any facts showing why testimony from these two witnesses would have been necessary to their arguments, nor have they provided reasons why alternate witnesses could not provide comparable testimony. ECF Nos. 304, 307. Accordingly, Plaintiffs' request for an extension of time to oppose Defendants' motion for summary judgment on this basis is DENIED.

After a party submits an affidavit or declaration pursuant to Federal Rule of Civil Procedure 56(d), the Court will then determine whether to (1) deny or defer consideration of the motion for summary judgment, (2) allow time to obtain affidavits, declarations, or take further discovery, or (3) issue any other appropriate order. Fed. R. Civ. P. 56(d)(1)–(3). Plaintiffs' request to receive guidance regarding how the Court will rule prior to submitting such an affidavit or declaration, therefore, is DENIED.

Plaintiffs shall file digital media by mailing it to the Court's chambers at the Daniel Patrick Moynihan United States Courthouse, Courtroom 15D, 500 Pearl Street, New York, NY 10007, and shall serve it promptly by mail on Defendants.

Plaintiffs' request to redact their filings is GRANTED because the proposed redactions would prevent public disclosure of confidential financial information, personally identifiable information, and medical information. Plaintiffs shall e-mail unredacted copies of the documents to Torres_NYSDChambers@nysd.uscourts.gov.

Plaintiffs' request for additional pages to complete their opposition papers is DENIED. Plaintiffs shall comply with the Court's 30-page limitation. Individual Practices in *Pro Se* Cases Rule IV.D (“[A]ll memoranda of law accompanying any motion (including opposition briefs) are limited to 30 pages”). Accordingly, Plaintiffs' request for an extension of time to oppose Defendants' motion for summary judgment on this basis is DENIED.

The Clerk of Court is directed to mail a copy of this order to Plaintiffs *pro se*.

SO ORDERED.

Dated: March 15, 2021
New York, New York



ANALISA TORRES
United States District Judge